



Town of Groton, Connecticut

Meeting Minutes

Town Council Committee of the Whole

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Town Clerk 860-441-6640
Town Manager
860-441-6630

Mayor Rita M. Schmidt, Councilors Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti, Heather Bond Somers and Harry A. Watson

Tuesday, July 22, 2014

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. CALL TO ORDER

Mayor Schmidt called the meeting to order at 6:06 p.m.

2. ROLL CALL

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik, Councilor Peruzzotti, Councilor Somers and Councilor Watson

Also present were Town Manager Mark Oefinger and Executive Assistant Nicki Bresnayan.

3. Calendar and Communications

Councilor Somers suggested that the Council send flowers to Senator Andy Maynard who is in the hospital and Councilors agreed by consensus.

4. Approval of Minutes - None

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

2013-0299 Establishment of a Charter Revision Commission

Discussed

Councilor Somers indicated that she cannot chair a Charter Revision Commission. The Council can provide direction to the Charter Revision Commission based on the specific areas discussed during the Council's goal setting sessions. Former Town Councilor Jim Streeter has expressed an interest in chairing or sitting on the commission. Town Manager Oefinger noted there are guidelines and past practice for establishing the Commission and he will redistribute the information. Councilor Somers suggested a special meeting of the Committee of the Whole dedicated to reviewing the charter in order to provide direction to a Charter Revision Commission.

2013-0221 Poquonnock Bridge Fire District/Attorney-Client Privileged Discussion

Discussed

Town Manager Oefinger explained that this item is on the agenda to decide whether or not to meet with the Poquonnock Bridge Fire District Board of Directors and to receive an update from the Town Attorney concerning the status of labor issues and the Town's intervenor status in the lawsuit. Former Councilors were previously briefed by the Town Attorney on the Town's statutory authority. New Councilors should receive the same briefing in light of misinformation regarding the Town's responsibility versus the fire district's and state's responsibilities. Councilor Frink noted he has received a significant amount of correspondence on this issue and he would like an update from the Town Attorney before any discussion.

A motion was made by Councilor Somers, seconded by Councilor Peruzzotti, that the Town Council, along with Town Manager Mark R. Oefinger, Assistant Town Manager Douglas Ackerman and Town Attorney Eileen Duggan, go into Executive Session pursuant to General Statutes 1-200 (6) (E) and 1-210 (b) (10), to discuss an attorney-client privileged document, and legal advice related to the same,

concerning the current and/or potential future status of the Poquonnock Bridge Fire District, as well as pursuant to General Statutes 1-200 (6) (B) to discuss pending litigation regarding the Poquonnock Bridge Fire District in which the Town has intervened.

Flax supported doing as much of the discussion as possible in open session. The Town Manager stated that an overview would be provided for the public after the executive session. Town Attorney Eileen Duggan suggested going into executive session because the discussion will include legal advice and opinions regarding the current status of the lawsuit. Discussion followed. Councilor Cerf suggested this is a bigger issue than just the pension fund and the inequities of the district need to be addressed. Ms. Duggan reiterated that the purpose of the executive session is to provide an update on the pending appeal and the Town's status as an intervenor. The second part of the discussion is to review legal advice and opinions on the Town's role in the pending issues in the district. Given the information in the newspapers and pending layoffs, Councilors need to be made aware of the Town's position regarding fire coverage issues. The district board wants to meet with the Council to discuss long term issues regarding taxing, but the immediate concern is fire coverage and the Town's obligation.

The motion carried unanimously

Discussed

The executive session started at 6:32 p.m. and concluded at 7:50 p.m. The meeting resumed at 7:55 p.m.

Attorney Duggan provided an overview of the executive session. In regards to ongoing litigation between the Poquonnock Bridge Fire District Board and the union dealing with the labor contract, the Town is an intervenor in the action. There will be a hearing in Superior Court on August 12th. The Town is a participant in the litigation to monitor the proceedings, but the issue is between the district and the union. Firefighters have sought a temporary injunction to reverse layoffs, but the Town is not a party to that action. A hearing is scheduled for August 11th, but there has been a request to move the date up. With respect to the issue of coverage in the event of layoffs, the district is responsible for coverage, as are the other districts in the Town. The Town has no particular role or responsibility regarding coverage. As Mr. Ackley has acknowledged, the district has a practical plan in place and the district is autonomous. Ms. Duggan agrees with that assessment based on the nature of the statutes regarding fire protection. The issues presented to the Council by the district board deal with long term issues and working together in the future to rebalance the fire protection burden among the districts. The Council may choose to receive information regarding ongoing issues, but there is no need to take any action.

Councilors discussed if and when to meet with the district board. The consensus was to wait until after the August hearings and to evaluate the results before scheduling a special meeting of the Committee of the Whole to meet with the district board.

2014-0159

Resale of Town Owned Property Acquired through Tax Foreclosure

Discussed

Town Manager Oefinger reviewed the list of properties recommended for action. The proposed disposition of the properties was referred to the Planning Commission under CGS Sec. 8-24 and the Planning Commission concurs with staff's recommendations, which were reviewed by the Town Manager.

A motion was made by Councilor Watson, seconded by Councilor Somers, that this matter be Recommended for a Resolution.

The motion carried unanimously

2014-0169

LaValley Property, Packer Road

Discussed

Town Manager Oefinger described the location of the property, which is primarily wetlands and entirely within the 100 year floodplain. The possibility of developing the property is remote. In response to the CGS Sec. 8-24 referral, the Planning Commission has recommended acceptance and designation of the parcel as open space.

A motion was made by Councilor Moravsik, seconded by Councilor Frink, that this matter be Recommended for a Resolution.

The motion carried unanimously

2014-0208 Policy Initiatives to Increase Revenue

Discussed

Councilor Frink suggested a special meeting of the Committee of the Whole in September to review Town activities with respect to certain development opportunity areas. In response to Councilor Moravsik, the Town Manager noted that the RFQ process for the review of the Zoning Regulations is proceeding.

2013-0156 Town Manager Annual Evaluation (2013)

A motion was made by Councilor Peruzzotti, seconded by Councilor Somers, to enter executive session at 8:14 p.m. with Mayor Schmidt and Councilors Watson, Somers, Flax and Peruzzotti to discuss 2013-0156 Town Manager Annual Evaluation (2013) and to invite the Town Manager to attend.

Councilor Flax asked if it was appropriate to do the two evaluations separately. Councilor Somers explained that the evaluations were being done separately because only five current councilors were sitting during the first evaluation period. Discussion followed on combining the 2013 and 2014 evaluations. Councilor Cerf asked if the new Councilors could listen in on the discussion about the 2013 evaluation and Councilor Somers said no.

The motion carried unanimously

Discussed

The executive session concluded at 9:11 p.m.

Mayor Schmidt noted that the Town Manager received an average score of 4.44 (Exceeds Expectations). She stated that he is doing a good job and he is well-respected locally and regionally.

2014-0155 Town Manager Annual Evaluation (2014)

A motion was made by Councilor Watson, seconded by Councilor Peruzzotti, to enter executive session at 9:12 p.m. to discuss 2014-0155 Town Manager Annual Evaluation (2014).

The motion carried unanimously

Discussed

The executive session concluded at 10:20 p.m.

7. Consideration of Committee Referral Items as per Town Council Referral List

Recommended for Deletion:

2013-0232 FYE 2015 Budget

Not Discussed

2013-0274 Cell Tower at Former Noank School Property

Not Discussed

2014-0046 Provision of Funding to the Economic Development Commission to Support Attendance at Local Business Association Meetings and Functions

Not Discussed

2014-0156 Town-Wide Police Study

Not Discussed

2014-0173 Report on Town Attorney Caseload

Not Discussed

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The meeting adjourned at 10:20 p.m.